

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of )  
 )  
 ) MB Docket No. 07-148  
DTV Consumer Education Initiative )  
 )

COMMENTS OF  
THE ASSOCIATION OF PUBLIC TELEVISION STATIONS

/s/

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## EXECUTIVE SUMMARY

Public Television is deeply invested in the success of the digital transition. The industry has raised well over \$1 billion for the digital build-out, and as a result nearly 95 percent of the nation's 363 public television stations already are broadcasting digital signals. Public television stations have utilized the diverse capabilities of the digital medium by launching exciting new services in high-definition television, multicasting, and datacasting. Digital broadcasting technology is enabling Public Television, in effect, to reinvent public service media.

Nevertheless, our industry is painfully aware that the transition will fail—and Public Television may not survive—unless the American people, 20 percent of whom (22.5 million households) receive their television exclusively over the air, understand the digital-to-analog conversion and what it means to them. Surveys show we have a long way to go. As of November 2006, 61.2 percent of Americans who receive their television exclusively over the air had “no idea” that the digital transition is taking place, and only 7.8 percent reported that they were “very much aware.” In light of the dramatic shift in public awareness that must occur in the 17 months leading up to the February 17, 2009 hard date, the Association of Public Television Stations (“APTS”) is troubled by the Commission's perfunctory attempt at developing a consumer education plan.

With respect to broadcasters, the Commission suggests a two-part initiative: (1) a requirement to conduct on-air consumer educational efforts, and (2) a requirement that broadcasters report to the FCC, on a quarterly basis, their

consumer education efforts. Public service announcements (“PSAs”) are an important piece of a successful consumer education initiative, but the Commission’s on-air consumer education proposal has several significant flaws. First, though public television stations will broadcast PSAs as well as longer-form programs publicizing the transition, a requirement that licensees air a certain number of PSAs is unduly restrictive and burdensome for public television stations. Second, a mandated on-screen “rolling scroll” is problematic for technical, aesthetic, and legal reasons. Third, contrary to the Commission’s stated intent in its June 18, 2007 letter to Representatives Dingell and Markey, the proposed campaign does nothing to target at-risk groups, such as low-income Americans and older Americans, who disproportionately receive their television over the air. Finally, the Commission’s proposal includes no method for measuring whether the PSAs are effective in increasing consumer awareness.

The Commission’s proposed reporting requirement is even more ill-conceived. The suggested quarterly reports create no benefit for the government and the public because they would provide no useful information regarding the status of consumer awareness of the transition. Furthermore, a reporting requirement is not needed because broadcasters have every incentive to engage in comprehensive consumer education activities. In light of these facts, there is no justification for requiring public television stations to divert precious financial and personnel resources toward a time-consuming and unnecessary practice. Furthermore, with a reporting requirement the Commission creates a mountain of paperwork for itself and an

onerous enforcement regime when its own scarce resources would be better spent addressing the many critical issues—including DBS carriage of digital broadcast signals—that remain unresolved as February 17, 2009, fast approaches.

Lastly, with regard to the Commission’s proposed notice requirement for consumer electronics manufacturers, APTS cautions that the efficacy of such a requirement would likely be limited because statistics show that Americans who receive their television over the air do not purchase televisions as frequently as cable and satellite subscribers and are less likely to visit electronics stores for that purpose.

Public Television wants, indeed needs, consumers to understand and buy into the digital transition. Local public television stations are already engaged in the consumer education process and have unmatched ties to institutions, organizations, advocacy groups and service providers in their local communities that facilitate work with at-risk populations. Rather than implementing and enforcing burdensome and largely ineffective requirements, the Commission should focus its efforts on encouraging Congress to appropriate more money for consumer education and on coordinating with broadcasters to use the financial resources provided by the government to advance our common goals.

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**COMMENTS OF THE ASSOCIATION OF PUBLIC TELEVISION STATIONS**

The Association of Public Television Stations (“APTS”)<sup>1</sup> hereby submits these comments in response to the Commission’s *Notice of Proposed Rulemaking* (“*NPRM*”) in the above-captioned proceeding.<sup>2</sup> Public Television is deeply invested in the success of the digital transition. The industry has raised well over \$1 billion for the digital build-out, and as a result nearly 95 percent of the nation’s 363 public television stations already are broadcasting digital signals. Public television stations have utilized the diverse capabilities of the digital medium by launching exciting new services in high-definition television, multicasting, and datacasting.<sup>3</sup> Still, our industry is painfully aware that the transition will not succeed—and

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<sup>1</sup> APTS is a non-profit organization whose membership comprises the licensees of nearly all of the nation’s CPB-qualified noncommercial educational television stations. The APTS mission is to support the continued growth and development of a strong and financially sound noncommercial television service for the American public.

<sup>2</sup> *In re DTV Consumer Education Initiative*, Notice of Proposed Rulemaking, MB Docket No. 07-148, FCC 07-128 (rel. July 30, 2007) (“*NPRM*”).

<sup>3</sup> See Joint Comments of The Association of Public Television Stations and The Public Broadcasting Service, *In re Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television*, MB Docket No. 07-91 (Aug. 15, 2007).

Public Television may not survive—unless the American people, 20 percent of whom receive their television exclusively over the air,<sup>4</sup> understand the digital-to-analog conversion and what it means to them. Surveys show that we have a very long way to go. As of November 2006, 61.2 percent of Americans who receive their television exclusively over the air had “no idea” that the digital transition is taking place and only 7.8 percent reported that they were “very much aware.”<sup>5</sup> In light of the dramatic shift in public awareness that must occur over the 17 months leading up to the February 17, 2009 hard date, Public Television is troubled by the Commission’s perfunctory attempt at developing a consumer education plan.

The Commission’s proposals place onerous requirements on public television stations that divert the stations’ scarce resources away from their core consumer education efforts. In addition, the proposals create a mountain of unnecessary paperwork for the Media Bureau and concoct an enforcement regime that will require Commission resources that would be better spent addressing the many critical issues—including DBS carriage of digital broadcast signals—that remain unresolved as February 17, 2009, fast approaches. And most importantly, in spite of the Chairman’s statements to Congress in June 2007, the proposals do nothing to target at-risk groups, such as low-income Americans and older Americans, who disproportionately receive their television over the air.

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<sup>4</sup> A CENTRIS study performed in the first quarter of 2007 shows that 20.1 percent of television households, or 22.51 million households, receive their television exclusively over the air.

<sup>5</sup> Survey conducted for APTS by market research firm ICR in the third quarter of 2006. Results are based on a sample of 2,000 households.



Public Television wants, indeed needs, consumers to understand and buy into the digital transition. Local public television stations are already engaged in the consumer education process and have unmatched ties to institutions, organizations, advocacy groups and service providers in their local communities that facilitate work with at-risk populations. Rather than implementing and enforcing burdensome and largely ineffective requirements, the Commission should focus its efforts on encouraging Congress to appropriate more money for consumer education and on coordinating with broadcasters to use any financial resources provided by the government to advance our common goals.

#### I. BROADCASTER PUBLIC SERVICE ANNOUNCEMENTS AND OTHER CONSUMER EDUCATION REQUIREMENTS

The Commission proposes to require television broadcast licensees to conduct on-air consumer education efforts, including public service announcements (“PSAs”) and a rolling scroll including text and/or images.<sup>6</sup> On-air education efforts are an important piece of a successful consumer education initiative, but the Commission’s proposal is at once too much and too little. First, though public television stations plan to broadcast PSAs as well as longer-form programs informing viewers on the transition, a requirement that licensees air a certain number of PSAs is unduly restrictive and burdensome for public television stations. Second, a mandated on-screen “rolling scroll” is problematic for technical, aesthetic, and legal reasons. Third, the Commission’s proposal includes no method for measuring whether the

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<sup>6</sup> *NPRM* ¶¶ 4-5.

PSAs are effective in increasing consumer awareness. Finally, the proposed on-air campaign does nothing to target at-risk groups, such as low-income Americans and older Americans, who disproportionately receive their television over the air.

A. A PSA Requirement Is Unduly Restrictive and Burdensome For PTV Stations

Public Television is using traditional PSAs and other on-air programming as an important part of its overall plan to educate consumers about the digital television transition. The Public Broadcasting Service (“PBS”) is currently developing a series of national PSAs and customizable spots for local stations and plans to distribute them for broadcast in spring 2008. The PBS materials will include two-minute interstitials that are intended to provide detail about the transition process to viewers that might not have Internet access, including many older and low-income Americans. Stations will also use PSAs produced by the National Association of Broadcasters (NAB), which is launching its campaign this month.

In addition, local public television stations have already begun to produce and broadcast their own PSAs and longer-form programs to explain the transition and its effects. For example, Kentucky Educational Television (KET), the licensee of 16 public television stations, in late 2005 produced and aired an hour-long call-in program entitled *The ABCs of DTV*, in which a panel of experts answered viewers’ questions about digital television. KET is preparing a new program for broadcast in November 2007 and beyond. KUED (Salt Lake City) in June 2007 began

broadcasting 15- and 30-second PSAs regularly. The Commission can be confident that the digital transition will receive a great deal of on-air publicity on public television stations.

However, the Commission's proposed requirement that licensees air specific quantities of PSAs is extremely burdensome for public television stations. Noncommercial stations traditionally devote much less of their broadcast time to non-program material than their commercial counterparts. While the typical hour-long program on a commercial station is only 40 to 45 minutes long, PBS states that the standard length of an hour-long program accepted by it for transmission to local stations must be 56 minutes 48 seconds.<sup>7</sup> In other words, public television stations have barely three minutes per hour to broadcast non-program content such as program promotions, interstitials, and PSAs. Given these constraints, public television stations require flexibility with regard to when and how they present on-air consumer education programming. Thus, if the Commission chooses to implement a requirement regarding on-air consumer education, APTS requests an exemption for noncommercial stations.

B. A Scrolling Requirement Presents Technical Challenges and Disturbs Integrity of Programming

As an alternative or complement to PSAs, the Commission suggests an on-screen "rolling scroll" or crawl containing text and/or images. A mandated on-screen crawl is problematic for technical, aesthetic, and legal reasons.

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<sup>7</sup> See PBS Red Book, *available at* <http://www.pbs.org/producers/redbook/index.html>.

It is APTS' understanding that some public television stations lack the technical capability to do crawls. Even for those stations that are able to do crawls, the process is more involved than the Commission might realize. After a station decides on the messaging, what programs will be impacted, and the timing and display of the messages, the traffic department must create an accurate log with instructions for the automation system or other manual or automated playlist system. Separately, the content must be created and programmed using a character generator, still store and/or animation system. Some stations that currently do not use their systems in this way might need to hire additional personnel to carry out these tasks. This process is much more involved than for an Emergency Alert System crawl, which is programmed and runs automatically.

From an aesthetic and logistical standpoint, crawls threaten to obscure lower thirds and local station and PBS identification "bugs," which aid viewers in their location and understanding of public television programming. In addition, the presence of crawls would disturb the integrity of the thoughtful programming that Public Television embraces. For example, the powerful effect of original footage in a program such as Ken Burns' new World War II documentary *The War* undoubtedly would be undermined by an obtrusive crawl. Likewise, a crawl would impair viewers' comprehension of scientific images in a program such as *NOVA*. Public television stations understand that disrupting programming to convey information is sometimes necessary in the case of emergencies, but the Commission would strike the wrong balance by mandating crawls in this situation.

Finally, it is APTS' understanding that it would be a violation of the user agreement between stations and PBS to superimpose a crawl for anything other than a local emergency, and to the extent crawls would obscure essential parts of content, they might put stations and distributors such as PBS in violation of their contracts with program producers. For all of these reasons, the Commission should not implement a policy mandating that stations run consumer education crawls.

C. The Commission's Proposal Includes No Method For Assessing Effectiveness of Education Efforts

While APTS agrees with the Commission that on-air education efforts are a crucial part of a successful consumer education initiative, we are concerned that the Commission is leaving out a giant piece of the puzzle by failing to propose a method of determining whether the broadcasters' efforts are increasing consumer awareness of the transition.

Because of the importance of a successful transition to public television stations, APTS has commissioned a market research group, CENTRIS, to conduct quarterly surveys measuring, and produce periodic reports on, consumer awareness of and feelings about the digital transition. Earlier results have set a baseline and have given APTS important information about the number and characteristics of over-the-air households. This data is helping local stations develop their consumer education plans to best target those viewers most in need of information. Future results will show the rate of growth of awareness, highlight the ways that people are learning about the transition, indicate what steps consumers are taking to

prepare for digital-only broadcasting, and pinpoint any major areas of concern or segments of the population that are lagging behind in knowledge of the transition and its effects.

It is essential that the Commission put its own resources toward similar market research and surveys. In the absence of dependable information about the state of consumer awareness of the transition, the Commission's consumer education proposal is little more than a shot in the dark.

D. The Commission's Proposal Fails to Target At-Risk Groups

In a June 18, 2007 letter to Rep. John Dingell, chairman of the House Committee on Energy and Commerce Committee, and Rep. Edward Markey, chairman of the Subcommittee on Telecommunications and the Internet, Chairman Martin insisted that the Commission's consumer education efforts would "include focusing on groups that may not otherwise learn about the transition including senior citizens, non-English speaking consumers, minority communities, people with disabilities, low-income individuals, and people living in rural and tribal areas." It is striking, then, that the Commission's proposals in this *NPRM* do nothing to target any of those groups.

The failure to cater to the needs of older Americans is particularly worrisome. Nearly one quarter of television viewers aged 65 and older receive their television exclusively over the air.<sup>8</sup> Statistics indicate that over-the-air elderly viewers are

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<sup>8</sup> CENTRIS data released in July 2007.

relatively unlikely to receive hands-on education about digital television and the transition from electronics retailers; only 15 percent have purchased a television in the past three years, and only 4.8 percent currently own a digital television.<sup>9</sup> This community is less likely than the general population to get information from the internet. A screen crawl, PSA or retailer notice is not an effective avenue for getting over-the-air elderly viewers the information they need to make the transition, yet the Commission appears to have no further plans.

Thanks to market research, we know a good deal about over-the-air television viewers. Over-the-air households are less likely to have purchased a television in the past three years (35.9 percent vs. 55 percent of cable or satellite households), less likely to own their own home (57.5 percent vs. 74.6 percent), are less likely to own a personal computer (54.2 percent vs. 71.5 percent) and less likely to use that computer to connect to the internet (77.2 percent vs. 90 percent), are less likely to be college graduates (17.5 percent vs. 24.1 percent), and are less likely to be employed full-time (40.9 percent vs. 49.5 percent). In addition, over-the-air households are more likely to have less than \$50,000 in annual income (42.8 percent vs. 19.6 percent), and are slightly disproportionately African-American (13 percent of over-the-air households vs. 10 percent of cable/satellite households) and Hispanic (12 percent vs. 11 percent). The Commission is remiss in failing to target outreach efforts toward at-risk populations.

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<sup>9</sup> *Id.*

## II. BROADCASTER CONSUMER EDUCATION REPORTING

The Commission proposes that it require broadcast licensees to report, every 90 days, their consumer education efforts, including the time, frequency, and content of public service announcements aired by each station in a market, with civil penalties for non-compliance.<sup>10</sup> APTS believes that this reporting requirement should not be implemented because it offers no real benefits and bogs down the Commission in paperwork and a new enforcement regime while its focus should be on addressing the many critical unresolved issues related to the transition. If, however, the Commission institutes a reporting requirement, APTS urges it to provide an exemption for public television stations in light of their demonstrated commitment to educational outreach and the burden a reporting requirement would place on their limited resources.

### A. A Reporting Requirement Offers No Useful Information And Diverts Commission Resources From More Crucial Efforts.

An examination of the benefits and costs to the Commission of a reporting requirement make clear that such a policy is not worthwhile. Though quarterly reports undoubtedly would provide the Commission with information, APTS questions whether such information would be useful. Information about how many PSAs stations are broadcasting does not shed light on whether those PSAs are working by increasing consumer awareness. On the other hand, properly conducted

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<sup>10</sup> *NPRM* ¶ 7.



market research would record shifts in consumer awareness and pinpoint what types of education efforts are reaching television viewers.

While the benefits of a reporting requirement are illusory, the costs to the Commission would be real. The Commission would find itself charged with reviewing mountains of essentially pointless paperwork and would have to devote significant resources toward enforcing the reporting requirement. Both of these activities would divert the Commission's limited resources from its own consumer education efforts and would detract the Commission's attention from critical issues—including DBS carriage of digital broadcast signals—that remain unresolved as February 17, 2009, fast approaches. For these reasons, a reporting requirement would not be in service of the ultimate goals of the Commission and should not be instituted.

B. Public Television Stations Should Be Exempt From Any Reporting Requirement

If the Commission decides anyway to institute a reporting requirement, APTS urges it to provide an exemption for noncommercial educational stations. A requirement to submit quarterly reports detailing consumer education efforts would place a significant burden on public television stations with scarce financial and personnel resources. Money and time spent on reports to the Commission take away from the resources that are available for a station's consumer education activities. Furthermore, as discussed above, public television stations are deeply

invested in the success of the transition and thus have every incentive to conduct significant consumer education efforts. The lack of a reporting requirement would not encourage public television stations to sit idle because nothing less than the stations' livelihoods as public service media depend on a smooth transition. Finally, public television stations should be exempted from a reporting requirement in light of their demonstrated commitment to education and outreach in their local communities.

The present situation is analogous to the Commission's consideration in 1996 of a children's programming reporting requirement. The Commission held that commercial broadcasters must prepare quarterly reports detailing their compliance with the Commission's requirement that they air educational and informational children's programming, but exempted noncommercial broadcasters from the obligation:

In light of Congressional intent to avoid unnecessary constraints on broadcasters, and in view of the commitment demonstrated by noncommercial stations in general to serving children, we believe it is inappropriate to impose reporting obligations on such stations.<sup>11</sup>

The Commission's decision then did not encourage public television stations to shirk their responsibilities to air educational and informational children's programming;

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<sup>11</sup> *In Re Policies and Rules Concerning Children's Television Programming; Revision of Programming Policies for Television Broadcast Stations*, Report & Order, FCC 96-335, 11 FCC Rcd. 10660 n.119 (Aug. 8, 1996).

on the contrary, many stations broadcast as much as 11 hours per day.<sup>12</sup> Likewise, an exemption from a reporting requirement here would merely permit stations to devote more of their limited resources to the core goal of informing consumers about the digital transition.

### III. CONSUMER ELECTRONICS MANUFACTURER NOTICES

With respect to consumer electronics manufacturers, the Commission proposes requiring manufacturers to include information describing the transition with any television set or related device imported or distributed in the United States.<sup>13</sup> APTS is not opposed to such a requirement, but it warns that the effectiveness of such a requirement may be minimal because survey results indicate that over-the-air viewers are less likely than their cable- or satellite-viewing counterparts to have purchased televisions recently. According to data from the first quarter of 2007, 55 percent of cable and/or satellite households had purchased a new television in the past three years, but only 35.9 percent of over-the-air households had done so.<sup>14</sup> As noted above (Section I. D.), those numbers are even more striking in the case of older Americans.

### IV. PUBLIC TELEVISION'S ROLE IN CONSUMER EDUCATION

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<sup>12</sup> See Comments of the National Association of Broadcasters, *In Re Children's Television Obligations of Digital Television Broadcasters*, MB Docket No. 00-167 (Sept. 4, 2007), at 9.

<sup>13</sup> *NPRM* ¶ 12.

<sup>14</sup> CENTRIS data.

The Commission correctly recognizes that messaging on air and at electronics retailers should be part of the plan for educating consumers about the digital transition. However, APTS believes that a targeted program is critical to address those Americans who receive their television over the air and to make sure that those groups most likely to be adversely affected by the analog shutoff—including rural Americans, minorities, older Americans, lower-income families, and persons with disabilities—are not left behind. By virtue of their unparalleled universal broadcast coverage, their ties to local institutions, their nonprofit educational mission and their history of effectively reaching out to at-risk groups, public television stations are ideally suited to assist the Commission in its consumer education efforts.

A. Public Television Is Locally Governed And Responsive To the Needs Of Local Communities

Pursuant to Federal policy, public television stations are to serve the public interest by providing educational and informational services to their local communities.<sup>15</sup> The public television “system” in this country is, by design, decentralized. The 363 local public television stations are operated by local community organizations, colleges, universities and school districts, locally-responsive state commissions and local municipalities. In addition, all public television stations not affiliated with governmental entities possess community advisory boards that allow direct feedback from the community regarding

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<sup>15</sup> 47 U.S.C. §§ 396(a)(5), (6), (8).

performance and adherence to public television's mission.<sup>16</sup> Moreover, daily operations are directly funded by donations from local viewers, ensuring community responsiveness in a very concrete financial way.<sup>17</sup>

Because of Public Television's inherently local structure, it is responsive to the communities these stations serve through both programming and outreach efforts.<sup>18</sup> Public television stations do not simply rely upon programming and public service announcements. Rather, they serve as "conveners" of interested and engaged community groups, which in partnership with the station conduct direct person-to-person activities specifically designed to change our towns, villages and cities for the better. For example:

- In its campaign entitled "It Only Takes One Step to a Healthy Mind, Body, and Soul," **KETC/Channel 9** in St. Louis works with child-care providers at seven local Head Start centers to teach healthy habits that can be passed on to the children they teach and the children's parents.
- **New Hampshire Public Television** is working with the state's correctional system to provide "Project Storytime," which enables incarcerated parents

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<sup>16</sup> Other than states, political or special-purpose subdivisions of a State or public agencies, all public television licensees must have a Community Advisory Board in order to receive grants from the Corporation for Public Broadcasting. 47 U.S.C. § 396(k)(8)(A).

<sup>17</sup> One quarter of Public Television's funding comes from individual donations, while only about 15 percent of funding comes from the federal government. The balance is funded by local businesses, state and local governments, local colleges and universities, and foundations.

<sup>18</sup> The Senate Committee on Commerce has observed that "the locally owned and controlled public broadcasting stations are models of local service in their communities." Public Broadcasting Reauthorization Act of 2004, Report of the Committee on Commerce, Science and Transportation on S. 2645, S. Rep. No. 108-396 (2004) at 10.

to record read-aloud stories for their children and remotely participate in other literacy-building activities.

- **KNME** in Albuquerque, NM, is spearheading an effort to improve the early reading skills of American Indian children. Through a grant from the American Indian Head Start Literacy Initiative, KNME staff work with the producers of *Between the Lions*, academic researchers, and the New Mexico Indian Affairs Department to bring *Between the Lions* video programming and related curriculum materials to tribal Head Start programs in the state.

In this way, through effective partnerships with local and regional organizations, the educational services public television stations provide extend well beyond the television screen and deep into the communities they serve.

B. Public Television Has Extensive Experience Providing Services to At-Risk Groups

In particular, public television stations possess extensive experience delivering services to those most likely to be affected by the analog shutoff: Americans living in many rural portions of the country, minorities (particularly African Americans and individuals of Hispanic Origin), older Americans, low-income families, and persons with disabilities.

1. Public Television reaches out to rural communities

Numerous public television stations have extensive experience addressing the rural communities they serve. On a regular basis they not only broadcast

special programming of relevance to rural communities but also engage in targeted and effective outreach activities.

- **Kentucky Educational Television** offers televised training and certification assessments for early childhood caregivers working in rural parts of the state who desire their state certification. Thousands of individuals have participated in the initiative.
- **Louisiana Public Broadcasting** partnered with the state mathematics association and parish libraries to deliver 10 Saturday workshops across the state, primarily in rural, economically depressed areas. Activities were conducted with children and their parents to further their understanding of the relevance of math in their everyday lives.
- **KSMQ** in rural Austin, Minnesota brought rural teens together to express their thoughts about current community and national events. This outreach offered young rural adults an outlet to freely express fears and questions regarding their world. Local youth and area experts moderated this forum.
- **Prairie Public Broadcasting** (KFME, Fargo, ND) hosted a daylong summit with the goal to create a dialogue, address needs faced by rural and poor populations, and to create a plan to expand on existing outreach efforts in the area of reading literacy.
- **WSIU** (Carbondale, IL) invited public libraries and museums in a 16-county rural region to develop a partnership planning survey, a planning workshop for museum and library staff or key volunteers, and working agreements to develop, produce, and disseminate museum-and library-based broadcast programming tied to specific local collections and including joint promotion and outreach.

## 2. Public Television reaches out to minorities

Public Television's statutory mission is to address issues of concern to underserved audiences and minorities,<sup>19</sup> and through broadcast programming and

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<sup>19</sup> 47 U.S.C. § 396(a)(6) (“[I]t is in the public interest to encourage the development of programming that involves creative risks and that addresses the needs of unserved and underserved audiences, particularly children and minorities”).

locally-directed outreach, public television stations have a deep connection to the minority communities.

- In Los Angeles, **KCET** offers *A Place of Our Own/Los Niños en Su Casa*, a daily television series, a website, and an extensive outreach program presented in English and Spanish. The initiative highlights local and state resources for child care providers and the children in their care, reflecting the broad spectrum of California's ethnic communities and a wide range of children with special needs.
- Several public television stations, including **WMFE** in Orlando and **WPBT** in Miami, host the *Hablando de Salud de la Mujer* (Speaking of Women's Health) Conference, which is designed to educate Hispanic women on their health, well-being, and personal safety.
- After the civil unrest of April 2001 in Cincinnati, **WCET** (Cincinnati, OH) created a local outreach initiative called "Common Ground" to address a number of racial issues of concern to the region. Through efforts spearheaded by WCET, virtually all local media outlets joined forces in an effort called the Cincinnati Media Collaborative. Through the Common Ground series, Collaborative members worked to engage citizens across the region in informed discussions about issues surrounding the area's racial tensions. For the Common Ground effort, all programs have been made available without charge to local schools with lesson plans that not only enhance students' understanding of the issues but also correlate to the Ohio Proficiencies.
- In connection with the program *The Story of Us: African American Lives*, **WTTW** in Chicago used a grant to launch an outreach initiative with the Boys and Girls Clubs. Over a six-month period, kids from Chicago-area Clubs used tools from the documentary and Internet technology to chart the history of their families, their heroes, their clubs, and their communities. Genealogist Tony Burroughs, a professor at Chicago State University, attended the final presentation at WTTW studios and spoke about the field of genealogy.
- **Iowa Public Television** has created an effort, entitled *Mi Primer Voto*, to provide first-time Hispanic voters with special services. The campaign included specialized program offerings, public service announcements, and targeted outreach to inform the state's largest minority population about the voting process and encourage voter registration.
- **KNPB** (Reno, NV), created "Open Talk, Open Minds: Connecting the Pieces," an outreach effort that provided a forum for discussion of critical



issues on diversity in northern Nevada. This project built upon a series of forums within the African American community, as well as other outreach with Native American and Hispanic groups. *Connecting the Pieces* provided a venue for continuing its relationships with these communities and served to integrate these diverse communities in working together toward understanding of shared urgent issues and concerns.

### 3. Public Television reaches out to older Americans

Public television stations have also been instrumental in highlighting issues of concern to older Americans to the public and facilitating local community engagement with our elder citizens. One particularly good example of this outreach ability was demonstrated with the broadcast of *The Forgetting*, a documentary about Alzheimer's disease, and the diverse community activities organized by public television stations designed to extend the educational mission of this documentary beyond the screen. Throughout the country, local stations supplemented the national broadcast of this program with local outreach activities, including workshops, retreats, discussion groups, local follow-up programming, companion websites, the publication of local resource guides and information packets, extensive advertising and promotion, community events, coordination with local churches, telephone support and live call-in programs, information in English and Spanish, and close coordination with AARP, local Alzheimer's Associations, state agencies on aging and disabilities, libraries and hospitals.

In addition, the broadcast of Bill Moyers' *On Our Own Terms: Moyers on Death and Dying* was an event of special importance to the senior community and those care-givers who support our older Americans. The four-part television series was accompanied by an outreach campaign designed to stimulate dialogue and

community action on the physical, emotional, psychological and spiritual issues surrounding end-of-life care. Public television stations, health care professionals and institutions, civic organizations, community-based groups and individuals connected in neighborhoods across America to discuss and take action on end-of-life issues.

Other examples of public television outreach to older Americans include the following.

- **Eight/KAET** in Phoenix has joined with Carrier for “Operation Heat Rescue” to donate air conditioning units to the Area Agency on Aging to be distributed to the elderly and families in need.
- **New Hampshire Public Television** opened a statewide community-based discussion about what older citizens need to optimize their quality of life. This involved a series of six feature stories on NH Outlook and four community forums. Seniors, caregivers, families, policymakers, and the extended communities that bear responsibility for their well-being, were invited to participate in this collaborative outreach project with Seniors Count (an initiative of Easter Seals NH). New Hampshire ServiceLink Network joined this effort by hosting the community forums and providing resource and referral services. NHPTV acted as convener for this community outreach campaign, using its broadcast capacity to bring awareness and information to tens of thousands of New Hampshire households. Importantly, this initiative involved a statewide public awareness campaign, directed both to citizens and to policy makers, to begin the conversation about what New Hampshire communities will need to do to care for our growing population of seniors.
- In celebration of Older Americans Month, **Mississippi Educational Broadcasting** and several aging services providers sponsored three workshops to inform senior adults about federal policy information, health issues and local agencies whose main mission is to help seniors in need. The program included workshops, exhibits and presentations by state and local aging service organizations, health and family caregiver discussions and opportunities for seniors to sign up for volunteer activities.

#### 4. Public Television reaches out to low-income Americans

Local public television stations have also engaged in significant efforts to raise awareness and engage communities in activities designed to alleviate poverty.

- Available at community-based sites throughout the state, the New Jersey Workplace Literacy Program was created in partnership with the New Jersey Department of Labor (DOL) and **NJN Public Television** to deliver workforce training programs and services directly to welfare registrants, dislocated workers and other job seekers identified by DOL. Using digital television technology, the Internet and print materials, NJN provides interactive training services that allows participants to address individual employment-related issues at their own pace. The program is currently available at one-stop employment centers in Camden, Trenton, Neptune, Bridgeton, Jersey City, and Elizabeth; the Newark Housing Authority; a Department of Corrections assessment and training center in Camden; the Urban League in Jersey City; and community-based organizations in Newark and Paterson.
- **WIPB** (Muncie, IN) implemented a five-phase initiative entitled “Leading the Way Out of Poverty.” The initiative provided education on the definition of poverty, facilitated a community-wide effort to develop an action plan, provided a community forum to empower voices of leaders within the community, and served as an advocate/catalyst for ending poverty.
- **WLRN** in Miami leads a “One Picture Book, One Community” outreach project, which is designed to unite the South Florida community in acknowledging the importance of early childhood literacy and education by inviting young children and their families to collectively read the same picture book. WLRN distributes thousands of copies of the book.

#### 5. Public Television reaches out to persons with disabilities

Since its inception, Public Television has been instrumental in working closely with the disability community to ensure full and fair access to educational programming. Public Television has been at the forefront in the development of captioning technology and services through the WGBH National Center for Accessible Media (NCAM). The Caption Center at WGBH was established in 1971 as the world’s first captioning center. Additionally, PBS was instrumental in

establishing the National Captioning Institute in Virginia. Until 1980, only public broadcasting stations carried captioning. Now, nearly 100 percent of the PBS national programming service carried on public television stations is closed captioned.<sup>20</sup>

In addition to its commitment to closed captioning, Public Television has been airing described video programming for more than a decade. Video description is the description of key visual elements in programming, inserted into natural pauses in the audio of the programming. It is designed to make television programming more accessible to the many Americans who have visual disabilities. The descriptive video service (“DVS”) was first developed by public broadcasting through WGBH.<sup>21</sup> The WGBH National Center’s DVS has described thousands of PBS programs and has provided video description for a variety of regular programming, special programming and cinematic productions.<sup>22</sup> As the

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<sup>20</sup> In general, the few PBS programs in the national programming service that are not closed captioned are visually oriented (such as dance performances), non-verbal in nature (such as music concerts), or in foreign languages where subtitles already exist.

<sup>21</sup> In 1988, PBS tested DVS nationally throughout its season of *American Playhouse*, and in 1990, PBS aired the first nationally described program *American Playhouse*’s “Sense and Sensibility.” In 1990, public television was honored by the National Academy of Television Arts and Sciences with an award for its development of descriptive video services.

<sup>22</sup> See *In the Matter of Implementation of Video Description of Video Programming*, Notice of Proposed Rulemaking, MM Docket No. 99-339, FCC 99-353 (November 18, 1999), ¶2.

Commission has noted, “noncommercial stations provide video description in the absence of Commission rules requiring them to do so.”<sup>23</sup>

## CONCLUSION

APTS is pleased that the Commission is turning its attention to the monumental task of ensuring that consumers are ready for the analog-to-digital transition. However, we urge the Commission, in adopting its policies in this Rulemaking, to concentrate less on setting and enforcing strict requirements and focus more on giving its allies the flexibility and resources to best use their outreach capabilities.

Public Television wants—indeed needs—consumers to understand and buy into the digital transition. Local public television stations are already engaged in the consumer education process and have unmatched ties to institutions, organizations, advocacy groups and service providers in their communities that facilitate work with at-risk populations. Increased funding from Congress and a program to fund grants to stations for consumer education would enable stations to utilize fully these ties to effect broad awareness of the transition.<sup>24</sup> Rather than implementing and enforcing burdensome and largely ineffective requirements, the

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<sup>23</sup> *Id.* at ¶25 n.65.

<sup>24</sup> APTS praises the U.S. House of Representatives for including \$2 million for consumer education in its recent Financial Services Appropriations bill. Nevertheless, the funding that has been appropriated to date for consumer education on the digital transition is inadequate. APTS strongly supports increased funding, as well as the institution of a federal program by which stations may apply for and receive grants for community outreach to educate consumers about the transition.

Commission should focus its efforts on encouraging Congress to appropriate more money for consumer education and on coordinating with broadcasters to use the financial resources provided by Congress to advance our common goals.

Respectfully submitted,

/s/

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